THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.23656 of 2007

Dated: 14-11-2007

Between:

B.Maisaiah

...Petitioner

and

1.Commercial Tax Officer,
Marredpally Circle,
Hyderabad and another.

...Respondents

THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.23656 of 2007

Dated: 14-11-2007

Order: (Per The Hon'ble Sri Bilal Nazki, The Acting Chief Justice)

Appeals filed by the petitioner against the assessment orders dated 22-03-2005, 31-03-2006 and 31-03-2007 for the assessment years 2001-02, 2002-2003 and 2003-04 respectively, are pending before the

second respondent-Appellate Deputy Commissioner (CT) and the stay petitions were dismissed. While so, the first respondent-Commercial Tax Officer issued the garnishee notice dated 25-10-2007. Aggreived by the same, the petitioner filed the present Writ Petition.

This Court while issuing notice before admission on 06-11-2007 granted interim stay subject to deposit of an amount of Rs.5 lakhs by the petitioner.

Now, it is submitted by the learned Counsel for the petitioner that the petitioner has already paid an amount of
Rs.5 lakhs in compliance of the interim order passed by this Court on 06-11-2007.

We are also told that one of the appeal has already been heard on 07-11-2007 and the judgment is awaited.

Since one of the appeal has already been heard and substantial amount has also been deposited, we dispose of the Writ Petition setting aside the impugned garnishee notice dated 25-10-2007 and directing that the interim stay granted by this Court on 06-11-2007 shall continue till the appeals are decided by the second respondent-Appellate Deputy Commissioner. No costs.

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(Bilal Nazki,

A.C.J)

Dated 14th November, 2007

(Ramesh Ranganathan, J)

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